

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

REBECCA E. BOWMAN,

Plaintiff,

v.

CIVIL ACTION NO. 2:13-cv-14114

CAROLYN W. COLVIN,
Acting Commissioner of Social Security,

Defendant.

MEMORANDUM OPINION AND ORDER

Before the Court is Plaintiff Rebecca Eileen Bowman's Complaint seeking review of the decision of the Acting Commissioner of Social Security, Carolyn W. Colvin ("Commissioner") [ECF 2]. By Standing Order entered April 8, 2013, and filed in this case on June 12, 2013, this action was referred to United States Magistrate Judge Cheryl A. Eifert for submission of proposed findings and a recommendation ("PF&R"). Magistrate Judge Eifert filed her PF&R [ECF 15] on August 5, 2014, recommending that this Court affirm the final decision of the Commissioner and dismiss this matter from the Court's docket.

The Court is not required to review, under a de novo or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). Failure to file timely objections constitutes a waiver of de novo review and the Petitioner's right to appeal this Court's Order. 28 U.S.C. § 636(b)(1); *see also Snyder v. Ridenour*, 889 F.2d 1363, 1366 (4th Cir. 1989); *United States v. Schronce*, 727 F.2d 91, 94 (4th Cir. 1984). In addition, this Court need not

conduct a de novo review when a party “makes general and conclusory objections that do not direct the Court to a specific error in the magistrate’s proposed findings and recommendations.” *Orpiano v. Johnson*, 687 F.2d 44, 47 (4th Cir. 1982). Objections to the PF&R were originally due on August 22, 2014. To date, no objections have been filed.

Accordingly, the Court **ADOPTS** the PF&R [ECF 15], **DENIES** Plaintiff’s motion for judgment on the pleadings [ECF 12], **GRANTS** the Commissioner’s motion for judgment on the pleadings [ECF 13], **DISMISSES WITH PREJUDICE** the Complaint [ECF 2], and **DIRECTS** the Clerk to remove this case from the Court’s docket.

IT IS SO ORDERED.

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: August 25, 2014



THOMAS E. JOHNSTON
UNITED STATES DISTRICT JUDGE